

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RODWAN SABOW,

Plaintiff,

v.

AMERICAN SEAFOODS COMPANY,

Defendant.

CASE NO. C16-0111-JCC

ORDER

This matter comes before the Court on Defendant's response (Dkt. No. 52) and Plaintiff's response (Dkt. No. 54) to the Court's July 17, 2018 minute order regarding remand from the Ninth Circuit.

On June 18, 2018, the Ninth Circuit affirmed in part and reversed in part this Court's order on summary judgment. (Dkt. No. 48 at 5.) The Ninth Circuit remanded the matter to this Court to determine whether Defendant is entitled to an offset resulting from an advance payment made to Plaintiff. (*Id.* at n.1.) The Court requested briefing from the parties on the issue. (Dkt. No. 51.) Defendant responded, withdrawing its claim to recover the advance and asking the Court to dismiss the case. (Dkt. No. 52 at 2.) Plaintiff did not object to Defendant's withdrawal of its claim and request for dismissal (Dkt. No. 54), and this is the only remaining issue before

1 the Court.¹ Therefore, the Court finds good cause to DISMISS this action pursuant to Federal
2 Rule of Civil Procedure 41(a)(2). The Clerk is DIRECTED to close this case.

3 DATED this 24th day of September 2018.

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7 John C. Coughenour
8 UNITED STATES DISTRICT JUDGE
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25 ¹ Plaintiff requests that the Court order Defendant to pay outstanding costs previously
26 awarded to Plaintiff by the Court. (Dkt. No. 54 at 3.) The Court directs the parties to its July 5,
2016 order addressing this issue. (Dkt. No. 41.)